

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO. 16-215

v.

*

SECTION: "J"

SEAN BRIGGS

*

a/k/a "Big Sean"

*

a/k/a "Big C"

* * *

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of competent testimony and admissible tangible exhibits, the following to support the allegations charged by the United States in the Second Superseding Indictment, specifically in Count 4, now pending against the defendant, **SEAN BRIGGS**, a/k/a "**Big Sean**," a/k/a "**Big C**," (hereinafter "**BRIGGS**").

During 2016 and 2017, the Federal Bureau of Investigation ("FBI") New Orleans Gang Task Force ("NOGTF") was conducting an investigation in the 6th District of the New Orleans Police Department. Specifically, the NOGTF was focusing on the small area of the 2400 block of Josephine Street and its vicinity, in response to the high activity of violent crime, including shootings and murders, and large amounts of drug trafficking, primarily of heroin and crack cocaine, in the area. At all times herein, T.H. was a known drug dealer and co-conspirator of **BRIGGS**, Brandon Butler, Jamiron Barnes and others known and unknown. T.H. was shot and killed during the course of the investigation in November 2016, and is therefore considered an unindicted co-conspirator.

On July 29, 2016, a NOPD detective assigned to the New Orleans Gang Task Force ('NOGTF') applied for a search warrant for 2410 Josephine Street in New Orleans based on information from a confidential informant ("CI 1"), who had previously provided reliable information. The CI said that a black male known as **SEAN BRIGGS** or "Big Sean" or "Big-C" was packaging and distributing crack cocaine and heroin at this location. The CI said he had purchased crack cocaine and heroin from Briggs at this address within the past 36 hours before.

The CI said the location was used by T.H. and others as a "trap" house and as a base for their operations of distributing crack cocaine and powder cocaine in the Josephine Street neighborhood. The CI said that weapons, including an assault rifle, were kept at this house. After conducting two controlled purchases from 2410 Josephine Street,¹ in conjunction with surveillance of the address, the NOGTF obtained a state search warrant for this location, signed by the Honorable Magistrate Judge Harry E. Cantrell, Orleans Parish Criminal District Court.

On August 3, 2016, the NOGTF conducted a search of 2410 Josephine Street pursuant to the search warrant obtained on July 29, 2016. FBI Special Agents ("SA") conducted a knock and announce prior to breaching the front metal security door of the house. Upon entry, agents observed an AK-47 style rifle leaning next to the couch in the front room. SA John Brown detained Jamiron Barnes in the back room of the residence.

SA Christopher Stokes and SA Sheldon Jones, who were assigned to the rear of the house, observed **BRIGGS**, who was wearing a white tank-top shirt, run from the back of the residence. **BRIGGS** ran in a northbound direction through the neighbor's back yard and successfully escaped. Another individual, who was familiar with 2410 Josephine Street and who was present at the location, informed agents that **BRIGGS** ran out of the home.

¹ These controlled purchases were not made from **BRIGGS** but by another individual operating out of 2410 Josephine Street.

After securing 2410 Josephine Street, agents conducted a search of the premises. In the first room of the house agents found one loaded 7.62 Roman/Cugir rifle, serial number A1-20297-14RO, with 30 rounds of ammunition; one loaded 9mm High point gun, serial number P1677457, with 9 rounds of ammunition; a partial box of .22 caliber ammunition; three digital scales; an open box of Good Sense bags; an empty Glock 22, with a .40 caliber magazine; and four cellphones.

In the second room, agents found 27 zipper bags of cocaine; \$361 in cash; a half-full bottle of Inositol, commonly used to cut cocaine; roughly 100 small zipper bags next to the bottle of Inositol; four off-white pills; and a flip phone. In the fourth room of the residence, agents found one baggie of crack cocaine, an iPhone, and 7.62 ammunition. Agents additionally found a loaded .22 caliber Ruger 22/45 handgun, serial number 220-88869, with 11 rounds of ammunition, and a loaded, sawed-off .22 caliber Model 60 rifle, serial number 10500408, with 8 rounds of ammunition, which were located beneath the house.

On the same day the search warrant was executed, August 3, 2016, T.H., one of the main drug suppliers who trafficked drugs from 2410 Josephine Street, spoke with an associate, D.S., who was incarcerated. In this recorded phone call D.S. states, "I heard them people got Miron, huh?" and T.H. responds, "the only one huh." "Miron" is the nickname for Jamiron Barnes. T.H. states, "Big C got away. C's cut all up. Big C, (inaudible) said boy I saw that big choppa and said man, I gotta get out of here." "Big C" is the nickname for **BRIGGS**. A "choppa" is slang for a long, assault rifle gun. **BRIGGS** was cut up from jumping over fences when he escaped.

On November 15, 2016, New Orleans Police Sergeants Jeffrey Giroir and Manuel Castellon were on patrol on the 2400 block of Josephine Street. They observed **BRIGGS** who they were familiar with in the neighborhood from a previous investigation that occurred on September 29, 2016, and for which a Field Interview Card was issued. Upon seeing the officers, **BRIGGS** placed his hand in his left jeans pocket, which he removed shortly thereafter. **BRIGGS** raised his hand and threw several clear plastic bags over an 8-foot fence that faced 2400 Josephine Street. **BRIGGS** quickly walked down Josephine Street toward Freret Street. The officers called for assistance but there was none in the immediate area; therefore, the officers chose to remain in the area where **BRIGGS** threw the bags and did not conduct an investigatory stop of **BRIGGS**. Another officer arrived at the scene, who climbed over the fence and retrieved the objects thrown by **BRIGGS**, which were one tied bag that contained 32 pieces of tin foil with heroin; one clear plastic bag with seven pieces of tin foil with heroin, and two clear plastic bags with some marijuana.

The government would introduce additional testimony and evidence involving **BRIGGS'** role as a drug trafficker in the Josephine Street area and his involvement in the charged drug conspiracy. This evidence includes an arrest of an individual on January 23, 2017. On January 23, 2017, agents from the NOGTF approached a driver they had observed purchase drugs in the Josephine Street area. The driver expressed interest in cooperating and was told by the agents that no promises of assistance would be given. The driver ("CI 2") told Special Agents Quick, McMillian, and Baird that CI 2 had been purchasing heroin from "**SEAN**" on a daily basis for more than two years (although CI 2 purchased from someone else that day); that CI 2 purchased heroin three or four times a day from the Josephine Street area; that CI 2 had been in the neighborhood earlier in the day where CI 2 saw CI 2's most regular heroin supplier "**SEAN**," and

CI 2 identified **BRIGGS** from a photograph as CI 2's long time supplier. CI 2 also told the NOGTF agents that CI 2 had thrown away the heroin needle because CI 2 saw the agents walking towards CI 2's car in the parking lot. The syringe that CI 2 discarded was tested by the FBI and came back positive for heroin.

A third individual, CI 3, corroborated that T.H. supplied **BRIGGS**, D.A. ("D-Man"), A.R. ("12"), Jamiron Barnes, and Brandon Butler, and that they all distributed drugs around 2410 Josephine Street. CI 3 has been selling heroin and crack cocaine for the past two years in the same neighborhood where all of the above sold crack and cocaine supplied by T.H. CI 3 knew that Barnes was present during the special agents' search of 2410 Josephine Street and that **BRIGGS** was able to flee the house without being arrested.

A federal grand jury returned a superseding indictment against **BRIGGS**, Butler and Barnes on August 3, 2017. Pursuant to the arrest warrant which was issued, **BRIGGS** was arrested by FBI Special Agents on August 3, 2017. Agents found **BRIGGS** at Reverend John Raphael Street, between Josephine and St. Andrew Streets. At the time of his arrest, **BRIGGS** was in possession of \$757, 15 foils of heroin, five crack rocks and a cell phone.

BRIGGS' admits he jointly possessed the firearms located at 2410 Josephine Street on August 3, 2016, in furtherance of the drug conspiracy and while possessing with the intent to distribute cocaine hydrochloride (powder cocaine). The evidence shows that the firearms found in 2410 Josephine Street, a known "stash" house used by **BRIGGS**, T.H., Barnes, Butler and others, were primarily in plain view and easily accessible to those inside the house, including **BRIGGS**. These firearms furthered **BRIGGS'** drug trafficking offenses because they were used to protect the premises, in which the drug trafficking activities were being conducted; they were easily accessible inside the home; the firearms were all loaded, including the loaded 7.62

Roman/Cugir rifle, serial number A1-20297-14RO, which contained 30 rounds of ammunition; the firearms were in close proximity to the drugs and money found inside the house, along with the drug paraphernalia; and the firearms were found during the timeframe when **BRIGGS** and others were distributing, packaging and storing from 2410 Josephine Street.

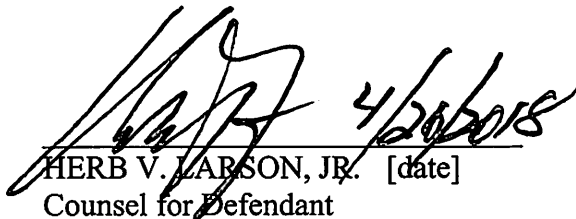
LIMITED NATURE OF FACTUAL BASIS

This proffer of evidence is not intended to constitute a complete statement of all facts known by **SEAN BRIGGS** and by the government, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for **SEAN BRIGGS** plea of guilty to the charged offenses.

READ AND APPROVED:



SEAN BRIGGS [date]
Defendant



HERB V. LARSON, JR. [date]
Counsel for Defendant



ELIZABETH PRIVITERA [date]
Assistant United States Attorney